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C O N F I D E N T I A L TASHKENT 001379

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SUBJECT: UZBEKISTAN: NEW LEGAL CLINICS TO OPEN, BUT BAR ASSOCIATION
REPLACED
TATE

REF: a) TASHKENT 1247; TASHKENT 924; TASHKENT 1225

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1. (C) Summary: The Tashkent Legal Clinic Director reported that authorities have approved the opening of three new legal clinics in Uzbekistan and have granted a six-month Uzbek visa to the AmCit American Bar Association (ABA) office director in Almaty, who is currently in Uzbekistan attending trainings for prosecutors and judges on the new habeas corpus law. In less positive news, the Director also reported that the independent Tashkent Bar Association (TBA), a local partner of ABA, has been formally abolished and replaced with the government-controlled Tashkent Chamber of Lawyers. However, the director stressed that the TBA's projects continue despite the organization's abolishment, and that its former Chairwoman is now the Deputy Chair of the new Chamber of Lawyers. We believe the TBA's replacement with the Chamber is more symptomatic of the government's general distrust of independent organizations than any particular displeasure with the TBA itself. By allowing more legal clinics to open and granting the ABA director a six-month visa, the Uzbeks once again appear to be signaling their interest in engaging further on legal reform, but more follow through is still needed on their part. End summary.

NEW LEGAL CLINICS TO OPEN....

2. (C) Tashkent Legal Clinic Director Kseniya Rijkova recently reported to poloff that authorities have green-lighted the opening of three new legal clinics in Andijon, Nukus, and Samarkand. The first new clinic is expected to open in Andijon in December. The new clinics will be staffed by law students from local universities and will provide citizens with free legal assistance. The expansion of the legal clinics is supported by the United Nations Development Program (UNDP), whose Legal Specialist Evgeniy Abdullaev also confirmed that the legal clinics are expected to open soon.

...AND ABA DIRECTOR RECEIVES SIX-MONTH UZBEK VISA

3. (C) Rijkova also reported that the American Bar Association (ABA) AmCit office director in Almaty was recently granted a six-month Uzbek visa. After his arrival in Uzbekistan last week, poloff spoke briefly directly with the AmCit director, who is currently facilitating trainings for prosecutors, judges, and law enforcement officials on the new habeas corpus law that the Institute for New Democracies (IND) is conducting in several regions of Uzbekistan this month.

...BUT TASHKENT BAR ASSOCIATION ABOLISHED

4. (C) Rijkova also reported that the independent Tashkent Bar Association, which operated the legal clinic in Tashkent and partnered on other projects with ABA, has been officially disbanded. Its functions (and property) have been taken over by the recently created Tashkent Chamber of Lawyers, which is under government control (the director of the Tashkent Chamber of Lawyers is selected by the head of the new National Chamber of Lawyers, who in turn is selected by the Justice Ministry, see ref A). Rijkova reported that the Tashkent Chamber of Lawyers is already operating, while lawyer chambers in other regions are still being set up.

15. (C) Rijkova stressed that TBA's disbandment has not yet affected its legal assistance programs, including the Tashkent Legal Clinic, which continue to function as before. She also reported that the reform-minded former TBA Chairwoman, Gulnora Ishankhanova, is now the Deputy Chair of the Tashkent Chamber of Lawyers. In addition, she described the College's Chairman as progressive and she did not believe he would interfere with their current programs.

16. (C) In addition to their cooperation with ABA, TBA members have participated in trainings outside of Uzbekistan for human rights activists conducted by Freedom House (ref B). Rijkova and Ishankhanova also have been nominated by the Embassy to participate in an International Visitors program focusing on legal reform and pro bono legal assistance, which is slated to take place in March 2009.

COMMENT

17. (C) By allowing more legal clinics to open and granting the ABA director a six-month visa, the Uzbeks once again appear to be signaling their willingness to engage on law reform. The refrain "meeting international standards" appears to resonate as a motivating factor in a variety of spheres. However, we are still waiting for greater follow through on their part, such as allowing ABA to return to Uzbekistan in some form (ref C). While we are sorry to see the abolishment of the Tashkent Bar Association - an independent NGO that was an important partner of ABA - it appears, at least for now, that the organization's abolishment has not yet affected its programs. We believe that the government's decision to abolish the TBA and other regional bar associations has more to do with its general distrust of independent organizations and was not aimed at the TBA in particular. Given that the former TBA Chairwoman is now the Deputy Chair at the Tashkent Chamber of Lawyers, we are hopeful that those projects will continue and that the Chamber itself might become a potential new partner for ABA.

NORLAND

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